

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

UNITED STATES OF AMERICA,
Plaintiff,
v.
DANA BYRD,
Defendant

Case No. 2:14-cr-00223-APG-VCF

ORDER

(ECF No. 8)

10 Defendant Dana Byrd has submitted a hand-written letter requesting that I “run [his]
11 violation time concurrent with [his] county time or . . . give [him] credit for time served with [his]
12 county time” ECF 8. Mr. Byrd’s request for a concurrent sentence or time served is
13 premature because I have not yet adjudicated the allegations that he violated terms of his
14 supervised release. Thus, at present there is no federal sentence to impose. Mr. Byrd also
15 requests a calendar call on this matter. Mr. Byrd is presently in state custody awaiting sentencing
16 on a charge to which he pleaded guilty. Once the sentence has been imposed in that matter, I will
17 be in a better position to evaluate the federal government’s allegations in this case. Accordingly,
18 Mr. Byrd’s motion for relief (**ECF No. 8**) is denied without prejudice. Within 14 days of Mr.
19 Byrd’s sentencing in state court, the Government shall file a notice in this case explaining
20 whether, how, and when it intends to go forward with this revocation proceeding.

DATED this 10th day of March, 2017.

ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE